

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**INFORMAL SESSION  
April 16, 2007**

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 a.m., April 16, 2007, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andrew Kunasek, Vice Chairman, District 3; Don Stapley, District 2; Max W. Wilson, District 4; and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**TEN-YEAR CAPITAL PLAN FOR MARICOPA COUNTY'S REGIONAL PARK SYSTEM**

Item: Presentation of the Parks and Recreation Department Ten-Year Capital Plan and current and planned projects update. (C3007026M00) (ADM3200-003)

William Scalzo, Assistant County Manager

R.J. Cardin, Assistant Director, Parks and Recreation Department

The Chairman opened the meeting and invited Bill Scalzo, Assistant County Manager, to present the Ten-Year Capital Plan for the Parks and Recreation Department. In addition to outlining the Ten-Year Capital Plan, Mr. Scalzo stated that he would be presenting an update on the state of the regional parks and trails systems, as well as other pertinent issues. He then introduced Assistant Director R.J. Cardin to lead the first part of the presentation.

Mr. Cardin explained that the last System Master Plan was done in 1965, when the County took a leadership role in providing regional park services. As part of this Strategic Master Plan process, the department held a series of meetings and interviews with County and City leaders, focus groups and public forums throughout the County. While the public is generally happy with the County park system as it is, key concerns that were heard throughout the process were that the park system should continue to grow, existing parks need to be adequately buffered against new development, and that not enough people know about the park system.

Mr. Cardin addressed some problems that have been occurring at the Lake Pleasant Regional Park, Agua Fria area. The Agua Fria area was identified as a conservation area in 1995 with the approval of the Lake Pleasant Regional Park Master Plan. At that time, the facility was to have limited accessibility, primarily by foot or by boat, due to the rugged terrain. Mr. Cardin disclosed that the current state of the area is less than desirable. Huge amounts of trash are being left in the area on a weekly basis, petroglyphs are being destroyed, and saguaros, signs and other natural resources are being used for target practice. Cattle from neighboring ranches are straying into the area because of inadequate fencing. Mr. Cardin said that the manager of the Little Grand Canyon Ranch flagged them down during a recent visit and reported that 15 head of his cattle had been shot this year.

In response to these problems, the Parks & Recreation Department has partnered with the Sheriff's office, Bureau of Land Management, Bureau of Reclamation, State Land Department, and Arizona Game and Fish to develop some short-term plans, effective July 1, 2007, as well as proposing some long-term solutions. Short term plans limit access to walk-in, hike-in, bike-in, boat-in only with no motorized traffic allowed, as well as:

- Fencing of boundaries and barriers
- Improve communication between agency partners
- Increase law enforcement in the area
- Install park signage

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- Address staffing issues
- Continued trash removal and restoration of the area
- Relocate the park boundary
- Create an education and media package

Long term solutions include:

- Develop a long term management plan, including a resource management plan
- Create a multi-agency contact station in the area to house various agencies
- Continue to solicit public input
- Deal with access issues, as well as designate and grade dirt roads
- Continue with facility and media issues outlined in the short term plan

Mr. Scalzo commented that 95% of the people who use the park behave responsibly, but it is the other 5% who are destroying it. Supervisor Wilson asked if people are going to the north end of the park because they can circumvent paying the entrance fee. Mr. Scalzo replied that yes, for that reason and for the fact that there are fewer law enforcement officers watching them in that area. Mr. Scalzo reported that while over 4,200 people paid entry to the park last year, an increase of about 2,000 people over the previous year, he is certain that many more than 4,200 people visited the area last year.

Mr. Scalzo updated the Board on completed and in-progress construction projects. Some of the completed projects include:

- An Entrance Station at McDowell Mountain
- Restrooms at White Tank, Estrella, McDowell, and Usery Mountain Parks
- An irrigation system at Estrella
- A water system at Usery
- Segments of fencing at White Tank and San Tan
- Segments of the Maricopa Trail

Other projects that are underway include entrance stations, restrooms, visitor centers, amphitheaters, monument signs, and playground shade structures at various parks within the regional park system. For the 2007-2008 fiscal year, the Capital Improvement projects are:

- Completion of Visitor Centers
- Boundary fencing
- Campgrounds at Estrella Park
- Restrooms
- An equestrian staging area at San Tan Park
- Trail system upgrades

Mr. Scalzo provided a detailed review of the 10-year Capital Improvement Plan, including cost forecasts. Mr. Scalzo also suggested some ideas for capital funding options in the future, such as a bond election, an interim fee increase, park district-enabling legislation, and partnerships with both the public and private sectors. Discussion ensued regarding long-term funding options. For the short term, Supervisor Wilcox suggested that each of the Supervisors adopt a project at a park and solicit private donations to fund the project.

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Regarding the limited access issue at Lake Pleasant, Supervisor Kunasek commented that a lot of people use the north end to access the lake, especially during eagle closure time, and he asked if a compromise could be reached. Mr. Scalzo responded that it could if the proper staging areas were constructed. Mr. Kunasek also remarked that establishing a multi-jurisdictional ranger station was a good idea and would help to curtail some of some of the problems in the area.

Chairman Brock asked whether the 50-year Master Plan included the acquisition of additional land for parks, and if so, were cost estimates included in the plan. Mr. Scalzo said that property acquisitions and cost projections would be proposed at a later date. The Chairman asked that the Planning and Zoning Commission put together a proposal regarding a bond election and impact fees and have it evaluated by the Office of Management and Budget. He suggested consideration of additional funding strategies such as inmate labor and private sector naming rights of trails.

The Chairman expressed serious concern about the cattle shootings at Lake Pleasant. He asserted that the adjacent agencies and Sheriff's office be notified of the details of the incidents, and that the Sheriff's Posse be enlisted to provide increased patrols in the area to prevent future occurrences.

#### **POINTS OF DISPENSING DRIVE-THROUGH DRILL**

Item: Presentation of Public Health's Emergency Management Program's (PHEM) goals and objectives in implementing the Points of Dispensing (POD) drive-through drill. (8607848M00) (ADM2150)

Dr. Bob England, Public Health's Executive Medical Director  
Max Porter, Public Health's Deputy Director  
Kevin Neill, Division Director of PHEM  
Shawn Tennant, Planning Supervisor of PHEM  
John Paulsen, Deputy County Attorney  
Anne Longo, Civil Division County Attorney

Dr. Bob England, Executive Medical Director, Department of Public Health, was invited to speak. Dr. England stated that he needed to make the Board aware of one particular aspect of one of the programs through the Department of Public Health, the Emergency Management Program. The program has one overall goal of increasing capacity in order to detect, investigate and respond to public health outbreaks and emergencies of any size or scale. He said that under the Federal Cities Readiness Initiative, the Public Health Emergency Management Program is tasked with being able to treat every single resident of the County within 48 hours of an event or notification of an event. Dr. England explained that federal guidelines guarantee delivery of medication from the Strategic National Stockpile within 12 hours of notification, leaving only 36 hours to treat every person in the County or approximately 100,000 people per hour.

Dr. England reported that about 100 Points of Dispensing (POD), mostly high schools, have been identified and arranged to serve in the event of an emergency or crisis. Some of the locations have been designed to walk through but other locations have been designed to drive through in order to meet the goal of being able to treat about 800 people per hour at any POD. Additionally, each POD has to be staffed appropriately, meaning about 100 people at any given site. Some County employees would be deployed to each POD, but the bulk of each staff would have to be made up of volunteers from outside agencies. Dr. England said that a number of organizations have been involved in devising this plan, but a training exercise needs to take place to gauge the effectiveness of the plan and to anticipate problems.

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The first full-scale practice will be held Saturday, May 19<sup>th</sup> at Cactus Shadows High School. Dr. England noted they are soliciting about 100 volunteers to play the part of workers, and another 300 to drive through, as well as a number of County employees to monitor and evaluate the exercise. Dr. England informed the Board that because they would have to utilize so many volunteers, the volunteers would need to be covered under the County's liability insurance coverage, which would be discussed in more detail during the executive session.

Supervisor Kunasek asked if the various fire departments were involved in his process. Dr. England explained that they are working on a long-term project to train about 500 firefighters and paramedics to take on specific roles such as giving injections. However, in order to prepare for any contingency, you must be prepared for the possibility that those people might be busy elsewhere fulfilling their own responsibilities. Supervisor Kunasek if the County was required to provide insurance coverage by some statute or federal mandate. Dr. England replied that, while he was unequipped to give a legal opinion and that the issue would be discussed in more detail in executive session, it was his understanding that statute requires that people under the employ or direction of the County be covered by insurance.

Clerk's Note: (Not part of the official minutes). The vote on the insurance coverage item referred to by Dr. England was taken in open session following executive session, and will be found at the end of these minutes.

**REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

No vouchers or warrants were presented for approval or ratification at this meeting. (ADM3814-003)

No staff update was given to the Board of Supervisors on regional schools operations and finances at this meeting. (ADM3814-005)

**EXECUTIVE SESSION**

Motion was made by Supervisor seconded by Supervisor, and unanimously carried (5-0) to recess and reconvene in Executive Session in the Tom Sullivan Conference Room to consider items listed on the Executive Agenda, pursuant to listed statutory authority, as follows.

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)**

**Compromise Cases** – Barbara Caldwell, Outside Counsel  
Hall, Jonathan  
Mercado, Patricia

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**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)**

**Property Classification Appeals to the Board of Supervisors pursuant to ARS §42-12052(C)(1)**

Keith Russell, Assessor  
David Schweikert, Treasurer  
Jerry Fries, Outside Counsel  
Jean Rice, Deputy County Attorney  
John Paulsen, Deputy County Attorney  
Lori Pacini, Deputy Clerk  
Steve Partridge, Deputy Treasurer

**Phoenix Gateway Property Owners' Association v. Maricopa County (TX2004-000192)**

Keith Russell, Assessor  
Tim Boncoskey, Chief Deputy Assessor  
Jean Rice, Deputy County Attorney  
William Riske, Deputy County Attorney

**Kaahanui v. Philip Transportation & Remediation, et al.**

Jorge Franco, Outside Counsel  
Peter Crowley, Risk Manager, **did not attend**  
Tom Manos, Chief Financial Officer  
Ted Howard, Claims Manager  
Barbara Hauser, Maricopa County Department of Transportation  
Nicolaas Swart, Maricopa County Department of Transportation

**Christina L. Jimenez v. Maricopa County, et al., Maricopa County Superior Court No. CV2005-023518**

David Hendershott, Chief Deputy, Sheriff's Office  
John J. MacIntyre, Governmental Liaison Officer, Sheriff's Office  
Rebecca Salisbury, Deputy County Attorney  
Dennis Wilenchik, Outside Counsel  
Peter Crowley, Risk Manager, **did not attend**  
Ted Howard, Risk Management  
Tom Manos, Chief Financial Officer  
Jack Robbins, Outside Counsel

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS  
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)**

**Mario and Gloria Yarbrough v. Maricopa County, et al., No. CV2006-017816**

Gary Fadell, Outside Counsel, **did not attend**  
Kathy Wieneke, Outside Counsel, **did not attend**  
David Hendershott, Chief Deputy, Sheriff's Office, **did not attend**  
Peter Crowley, Risk Manager, **did not attend**  
Patrick Spencer, Risk Management, **did not attend**  
Bruce White, Deputy County Attorney, **did not attend**  
Chris Keller, Chief Counsel, Civil Division  
Tom Manos, Chief Financial Officer  
John J. MacIntyre, Governmental Liaison Officer, Sheriff's Office

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Ted Howard, Risk Management

**Wilson v. Maricopa County et al. – Claim No. GL5419030293**

David Hendershott, Chief Deputy, Sheriff's Office  
Daniel Struck, Outside Counsel  
Bruce White, Deputy County Attorney, **did not attend**  
Peter Crowley, Risk Manager, **did not attend**  
Ted Howard, Risk Management

**Maricopa County v. Emmett Clint Goss – CV2006-006575**

Joy Rich, Assistant County Manager  
Darren Gerard, Deputy Director, Planning and Development, **did not attend**  
Kathryn McCormick, Deputy County Attorney

**LEGAL ADVICE; PURCHASE, SALE OR LEASE OF REAL PROPERTY – ARS §38-431.03(A)(3) and ARS §38-431.03(A)(7)**

**Consideration to Purchase Downtown Property**

Tom Manos, Chief Financial Officer  
Dennis Lindsey, Manager, Real Estate Services  
Steve Connor, Facility Management Director  
William Riske, Deputy County Attorney

**LEGAL ADVICE; ARS §38-431.03(A)(3)**

**Federal Income Tax regulations and structuring of the Series 2007-A Lease Revenue Bonds**

Sandi Wilson, Deputy County Manager, **did not attend**  
Brian Hushek, Deputy Budget Director  
Tom Manos, Chief Financial Officer  
Shelby Scharbach, Deputy Chief Financial Officer  
Tim Pickrell, Outside Counsel  
Todd Cooper, Outside Counsel, appearing telephonically, **did not attend**

**LEGAL ADVICE; ARS §38-431.03(A)(3)**

**Planning and Zoning Hearings (Chairman's Authority to continue or withdraw)**

Victoria Mangiapane, Deputy County Attorney  
Terry Eckhardt, Deputy County Attorney  
Joy Rich, Assistant County Manager

~Supervisor Kunasek left the meeting and did not return~

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) and (A)(4)**

**Public Health Emergency Management**

Dr. Bob England, Director, Public Health Department  
Max Porter, Deputy Director, Public Health  
Kevin Neill, Division Director, Public Health  
Shawn Tennant, Planning Supervisor, Public Health

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Anne Longo, Deputy County Attorney  
John Paulsen, Deputy County Attorney

**~Recess Executive Session and Reconvene in Open Session~**

**INSURANCE COVERAGE FOR POINTS OF DISPENSING DRIVE-THROUGH DRILL PARTICIPANTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve insurance coverage for volunteers participating in the Public Health's Emergency Management Program's (PHEM) Points of Dispensing (POD) drive-through drill, which will be held on May 19, 2007. The POD drive-through drill will be held at Cactus Shadows High School, 5802 E. Dove Valley Road, Scottsdale AZ 85262. An anticipated 500 volunteers will participate in the drill and will be comprised of organized volunteer groups and community members. (C8607848M00) (ADM3703)

**MEETING ADJOURNED**

At the conclusion of discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

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Fulton Brock, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board